

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

9 FRANK ORTIZ,)
10 Plaintiff,) Case No. 3:05-cv-00113-LRH-VPC
11 vs)
12 DAVID KELLY, et al.,) ORDER
13 Defendants.)

14 Plaintiff is proceeding *pro se* in this civil rights action. On April 28, 2009, this court entered
15 an order granting plaintiff's motion for leave to proceed *in forma pauperis* on appeal (Docket #273).
16 On May 5, 2009, defendants filed a motion for reconsideration of the court's order (Docket #275).
17 On July 10, 2009, the Court of Appeals dismissed plaintiff's appeal (Docket #282).

18 **IT IS THEREFORE ORDERED** that defendants' motion for reconsideration (Docket #275)
19 is **DENIED as moot.**

20 Dated this 13th day of July, 2009.

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**LARRY R. HICKS
UNITED STATES DISTRICT JUDGE**